

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MAURICIO HERNANDEZ-JIMENEZ

PETITIONER

V.

CIVIL ACTION NO. 3:24-CV-689-KHJ-MTP

WARDEN UNKNOWN UNKNOWN

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the [7] Report and Recommendation (“Report”) of United States Magistrate Judge Michael T. Parker. The [7] Report recommends dismissing without prejudice pro se Petitioner Mauricio Hernandez-Jimenez’s [1] Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241. [7] at 3. Written objections to the [7] Report were due by June 16, 2025. *See id.* at 4. The [7] Report notified the parties that failure to file written objections by that date would bar further appeal in accordance with 28 U.S.C. § 636. *See id.* No party objected to the [7] Report, and the time to do so has passed.

The Court must review de novo a magistrate judge’s report only when a party objects to the report within 14 days after being served with a copy. 28 U.S.C. § 636(b)(1). When no party timely objects to the report, the Court applies “the ‘clearly erroneous, abuse of discretion and contrary to law’ standard of review.” *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam).

Hernandez-Jimenez is an inmate at Federal Correctional Complex in Yazoo City, Mississippi. [7] at 1. He seeks habeas relief, contending that he is entitled to

First Step Act time credit that the Bureau of Prisons refuses to apply to his sentence. [1] at 1–2. The United States opposes the relief because Hernandez-Jimenez failed to exhaust his administrative remedies, among other reasons. *See* Resp. [6] at 2–3. The Magistrate Judge recommends dismissing the [1] Petition without prejudice because Hernandez-Jimenez failed to exhaust his administrative remedies or identify any extraordinary circumstances warranting waiver of the exhaustion requirement. [7] at 3.

Finding the [7] Report neither clearly erroneous nor contrary to law, the Court ADOPTS the [7] Report and DISMISSES this case without prejudice. In doing so, the Court has considered all arguments raised. Those arguments not addressed would not have altered the Court’s decision. The Court will enter a separate final judgment consistent with this Order.

SO ORDERED, this 27th day of June, 2025.

s/ *Kristi H. Johnson*
UNITED STATES DISTRICT JUDGE